



NOTICE OF ALLOWANCE AND FEE(S) DUE

67374 7590 07/16/2008

MORGAN, LEWIS & BOCKIUS, LLP
ONE MARKET SPEAR STREET TOWER
SAN FRANCISCO, CA 94105

EXAMINER
FREJD, RUSSELL WARREN
ART UNIT PAPER NUMBER

2128
DATE MAILED: 07/16/2008

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

10/821,818 04/08/2004 Max W. Durney 067441-5013US 9058

TITLE OF INVENTION: METHOD OF DESIGNING FOLD LINES IN SHEET MATERIAL

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

nonprovisional NO \$1440 \$300 \$0 \$1740 10/16/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



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Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER. Includes application details for Max W. Durney and examiner FREJD, RUSSELL WARREN.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 594 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 594 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.	Applicant(s)	
10/821,818	DURNEY ET AL.	
Examiner	Art Unit	
Russell Frejd	2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. This communication is responsive to the amendment received 17 January 2008.
- 2. The allowed claim(s) is/are 1-40.
- 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____ .
 - 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
- 6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1. Notice of References Cited (PTO-892)
- 2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 6.19.08
- 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5. Notice of Informal Patent Application
- 6. Interview Summary (PTO-413), Paper No./Mail Date _____ .
- 7. Examiner's Amendment/Comment
- 8. Examiner's Statement of Reasons for Allowance
- 9. Other _____.

Allowance of Application # 10/821,818

1. The following communication is in response to applicant's amendment received 17-January-2008. Claims 1-40 are pending in the application.

Examiner's Amendment

2. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee. Authorization for this Examiner's Amendment was given by Victor Johnson (Reg. No. 41,546) on 19-June-2008.

2.1 In the Claims:

Claim 14	line 2	Change "system for designing" to --system, which when executed on a computer, causes the computer to design--.
	line 10	Change "in a computer-readable medium" to --in the computer-readable medium--.
Claim 24	line 2	Change "system for designing" to --system, which when executed on a computer, causes the computer to design--.

2.2 In the Specification:

Section [0001]	line 4	Change "FORMING THE SAME," to --FORMING THE SAME and now U.S. Patent No. 7,152,450,--.
Section [0001]	line 9	Change "SHEET THEREFOR," to --SHEET THEREFOR and now

U.S. Patent No. 7,152,449,--.

line 12 Change "FABRICATION PROCESS," to --FABRICATION
PROCESS and now U.S Patent No. 6,877,349,--.

Section [0033] line 13 Change "FABRICATION PROCESS," to --FABRICATION
PROCESS and now U.S Patent No. 6,877,349,--.

line 17 Change "SHEET THEREFOR," to --SHEET THEREFOR and now
U.S. Patent No. 7,152,449,--.

line 20 Change "FORMING THE SAME," to --FORMING THE SAME and
now U.S. Patent No. 7,152,450,--.

Reasons for Allowance

3. The following is an Examiner's Statement of Reasons for the indication of allowable subject matter.

3.1 Claims 1-40 are considered allowable, since when reading the claims in light of the specification, as per MPEP § 2111.01, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in independent claims nos. 1, 11, 14, 24, 27, and 38, including:

In regard to claims 1, 14 and 27, input means for defining said desired fold line in a parent plane on a drawing system; and computing means for populating said fold line with a fold geometry including a series of cut zones that define a series of connected zones configured and positioned relative to said fold line whereby upon folding said material along said fold line produces edge-to-face engagement of said material on opposite sides of the cut zones [**defined at** sections 0007, 0048-0052, 0056].

In regard to claims 11, 24 and 38, storing a plurality of cut zone configurations and connected zone configurations having differing physical characteristics; defining a desired fold line in a parent plane on a drawing system; selecting a preferred zone which has a desired shape and scale, wherein said zone comprises a member from the group of a cut zone, a connected zone, and combinations thereof; locating a preferred fold geometry along said fold line, said preferred fold geometry including said selected zone; and manipulating said preferred fold geometry to adjust at least one of said connected zones, whereby upon folding said material along said fold line produces edge-to-face engagement of said material on opposite sides of said cut zones, wherein said manipulating is selected from the group of relocating, rescaling, reshaping, and combinations thereof, and wherein said adjusting is selected from the group of displacing, adding, subtracting, and combinations thereof [sections 0008, 0041, 0044, 0058].

Dependent claims 2-10, 12, 13, 15-23, 25, 26, 28-37, 39, and 40 are deemed allowable as depending either directly or indirectly from independent claims 1, 11, 14, 24, 27, and 38.

3.2 The instant application is directed to a non-obvious improvement over the invention described in USP 6,640,605, issued to Gitlin, which discloses a method of bending sheet metal in which thinned regions are provided on either side of a bending line to form twisted portions; and USP 6,233,533, issued to Gupta, which discloses systems which may be integrated with CAD/CAM systems, including a system with various stations including a bending station that may include CNC and/or NC press brakes or other commercially available press brakes.

3.3 The art of record, either individually or in combination, fails to teach, suggest, or render obvious the specific arrangement of elements in the same combination as now required by the

